

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA, ) CASE NO. 4:14-CR-023-A  
 )  
Government, )  
 ) FORT WORTH, TEXAS  
VERSUS )  
 ) APRIL 22, 2014  
CHRISTOPHER ROBERT WEAST, )  
 )  
Defendant. ) 9:59 A.M.

VOLUME 1 OF 1  
TRANSCRIPT OF DIGITALLY RECORDED MOTION TO SUBSTITUTE  
BEFORE THE HONORABLE JEFFREY CURETON  
UNITED STATES MAGISTRATE COURT JUDGE

**A P P E A R A N C E S :**

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Proceedings recorded by digital recording, transcript  
produced by computer.

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**P R O C E E D I N G S**

April 22, 2014 - 9:59 a.m.

*(Digital recording commencing at 9:59 a.m.)*

COURT SECURITY OFFICER: All rise.

THE COURT: Thank you. Please be seated.

All right. The Court calls for hearing Cause Number 4:14-CR-23, United States versus Christopher Robert Weast.

I'm calling this hearing because an order referring a motion to me has been filed by Judge Means, the District Judge, after reviewing a letter written by Mr. Weast to the Court, which has been construed as complaints about court-appointed counsel.

And also there's an indication, Mr. Weast, that you want to represent yourself in this matter, so I wanted to set it for hearing and hear from you.

Tell me what's going on, Mr. Weast.

THE DEFENDANT: I -- I sent a letter, another, modified. I don't know if the Court's received it yet. It should have. It was the very next day I think I sent that.

THE COURT: Okay. Let's see.

THE DEFENDANT: And I quoted Mickens v. Taylor --

THE COURT: Uh-huh.

THE DEFENDANT: -- on being able to reserve my objections, as well as to terminate the attorney from the case.

1           THE COURT: Okay.

2           THE DEFENDANT: And I also quoted Faretta v.  
3 California.

4           THE COURT: Right. This is a Faretta hearing. I'm  
5 allowing you the opportunity to represent --

6           THE DEFENDANT: Yeah, I want to --

7           THE COURT: Just a second. First thing you're going  
8 to have to learn is there's a procedure in criminal cases and  
9 in all federal courts. I speak. I allow you to speak. I may  
10 allow the government to speak, if they have a position. So  
11 let's just take our time. I'm not rushing you.

12           But if you're telling me you want to represent  
13 yourself, the law requires, as you understand by reading  
14 Faretta, that I inform you of certain things and make sure  
15 that it's a knowing and voluntary waiver of counsel.

16           All right?

17           THE DEFENDANT: Yes, sir.

18           THE COURT: Okay. So, let me begin, Mr. Weast, by  
19 asking you: Is it your desire to represent yourself?

20           THE DEFENDANT: Yes, sir.

21           THE COURT: And you understand that means proceeding  
22 pro se?

23           THE DEFENDANT: Yes, sir.

24           THE COURT: Okay. You have used the phrase "sui  
25 juris."

1           THE DEFENDANT: Yes.

2           THE COURT: But we're talking about pro se  
3 representation.

4           THE DEFENDANT: I object to the term that -- I would  
5 prefer sui juris.

6           THE COURT: Okay. And you know how to object?

7           THE DEFENDANT: Yes, sir.

8           THE COURT: That objection is overruled. So you  
9 know how to get a ruling.

10          Have you ever studied law?

11          THE DEFENDANT: I've -- I've been doing quite a bit  
12 of studying in the last two or three years, yes.

13          THE COURT: Okay. Have you ever represented  
14 yourself in a criminal case before?

15          THE DEFENDANT: In state court, yes.

16          THE COURT: All right. So how long ago was that?

17          THE DEFENDANT: In the criminal case, I guess it's  
18 been about a year, year-and-a-half. And then in civil court,  
19 it's been -- it's been ongoing still.

20          THE COURT: Okay. So you understand there are Rules  
21 of Evidence?

22          THE DEFENDANT: Yes.

23          THE COURT: And you understand that there are  
24 certain rules that might allow evidence to come into court,  
25 and rules that might exclude evidence from court?

1           THE DEFENDANT: Yes, sir.

2           THE COURT: And you believe that you're familiar  
3 enough with those to represent yourself?

4           THE DEFENDANT: I believe that as long as I'm  
5 allowed to study them and continue to study them as the case  
6 progresses, yes.

7           THE COURT: And you understand this is a criminal  
8 case, and you could be facing significant penalties, if you  
9 are convicted of the crime with which you're charged?

10          THE DEFENDANT: I -- I don't understand the -- why  
11 she's here, no.

12          THE COURT: Well, that's a -- that's a different  
13 issue. My question was: You understand this is a criminal  
14 case, right?

15          THE DEFENDANT: I -- yes, to the best of my  
16 knowledge, I understand that. And, I mean, I don't  
17 understand -- we'll get to that later, I guess, because that's  
18 probably not part of this hearing.

19          THE COURT: Okay. What I need to make you  
20 understand is, if you represent yourself, you'll still be held  
21 to those procedures and those rules.

22          THE DEFENDANT: Yes, sir.

23          THE COURT: Okay. And that the consequence to you  
24 of a criminal case could be a pretty significant penalty,  
25 prison time and/or a fine, that sort of thing.

1           You understand all of that? Yes?

2           *THE DEFENDANT:* Yes, sir.

3           *THE COURT:* All right. You understand that if you  
4 represent yourself, you're on your own? You don't get  
5 cocounsel. I saw a reference to trying to have someone as  
6 cocounsel.

7           *THE DEFENDANT:* Yes, sir.

8           *THE COURT:* It's just you. You understand that?

9           (No audible response heard on digital file)

10          *THE COURT:* I have to advise you that, in my  
11 opinion, having a trained lawyer to represent you would be in  
12 your best interest. I think it's unwise for you to represent  
13 yourself, but you do have that right. And you've answered my  
14 questions in such a way that it appears that that's the way  
15 you wish to proceed.

16          *THE DEFENDANT:* Yes, sir.

17          *THE COURT:* Is that correct?

18          *THE DEFENDANT:* Yes, sir.

19          *THE COURT:* So, in light of knowing the penalty that  
20 you might suffer if you're found guilty, and in light of all  
21 the difficulties in representing yourself that I've touched  
22 on, are you telling the Court that it's your voluntary  
23 decision to forego representation by an attorney and to  
24 represent yourself in this case?

25          *THE DEFENDANT:* Yes, sir.

1           *THE COURT:* All right. I find the defendant has  
2 knowingly and voluntarily waived his right to counsel, and  
3 I'll, therefore, recommend to the district judge that you be  
4 allowed to proceed pro se and represent yourself in this  
5 matter.

6           Ms. Saad, do you believe that the public defender  
7 should perform any role, such as standby counsel in this case,  
8 or has your relationship with the defendant deteriorated to  
9 such that that's not a realistic possibility?

10          *MS. SAAD:* Your Honor, it's our position that if the  
11 Court would want us to be standby counsel, we would be happy  
12 to do that. I do think it would be -- you know, that could be  
13 something Mr. Weast could decide, if he would like to have us  
14 as standby counsel in addition.

15          *THE COURT:* Let me ask you, Mr. Weast: Do you wish  
16 to have standby counsel? That's not a lawyer who is going to  
17 be asking questions at your trial or filing motions on your  
18 behalf, but that's someone who is present if there's an issue  
19 that comes up and you need assistance, or do you want to go it  
20 alone?

21          *THE DEFENDANT:* If that's -- I mean, if they can be  
22 there and are not listed as my attorney, then I have no  
23 objections to that.

24          *THE COURT:* All right. Well, I'm going to take that  
25 part under consideration. I'll issue an order, but I'm going



1 to make the finding, as I have, that you have voluntarily and  
2 knowingly waived your right to counsel and will proceed pro  
3 se.

4 All right. Are there any other things to consider  
5 in connection with Mr. Weast from the government's standpoint?

6 *MS. SALEEM:* No, Your Honor.

7 *THE COURT:* Mr. Weast, do you have any other issues  
8 to consider at this time?

9 *THE DEFENDANT:* My only question would be what  
10 jurisdiction is this court being held under?

11 *THE COURT:* Excuse me?

12 *THE DEFENDANT:* What jurisdiction is this court  
13 being held under?

14 *THE COURT:* Under the Constitution of the United  
15 States.

16 *THE DEFENDANT:* The jurisdiction of the court, sir.

17 *THE COURT:* Yes, sir. This is a federal court,  
18 you're charged with a federal crime, and you're going to stand  
19 trial before a federal judge, and you are being held under  
20 federal law.

21 So, maybe you need to do a little more research, and  
22 if you have a motion attacking the subject-matter jurisdiction  
23 of this court, please file it.

24 All right. The defendant's remanded to the custody  
25 of the United States Marshal.

1 Please don't waste the Court's time with useless  
2 motions and ridiculous statements. The district judge will  
3 not look with favor on that, I guarantee it.

4 COURT SECURITY OFFICER: All rise.

5 THE COURT: The attorneys are excused.

6 (Digital recording concluded at 10:07 a.m.)

7 **TRANSCRIBER'S CERTIFICATE**

8 I, Debra G. Saenz, CSR, RMR, CRR, certify that the  
9 foregoing is a true and correct transcript to the best of my  
10 ability from the digital record of proceedings in the foregoing  
11 entitled matter.

12 I further certify that the transcript fees format  
13 comply with those prescribed by the Court and the Judicial  
14 Conference of the United States.

15 Signed this 11th day of July, 2014.

16  
17 /s/ Debra G. Saenz

18 DEBRA G. SAENZ, CSR, RMR, CRR  
19 Texas CSR No. 3158  
20 Official Court Reporter  
The Northern District of Texas  
Fort Worth Division

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25 E-Mail Address: debbie.saenz@yahoo.com

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